

Mail Stop Patent Application  
Commissioner for Patents  
Alexandria, VA 22313-1450

UTILITY PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing is a U.S. Non-Provisional Utility Patent Application entitled:

A SYSTEM AND METHOD FOR UPGRADING BIOMETRIC DATA

naming as inventors: Timothy L. Robinson  
Bradford R. Schildt  
Tennille V. Goff  
Daniel J. Corwin

and including:

[X] (11) pages of description (before the claims); (6) pages of claims ((54) total claims, (6) independent claims));  
One (1) Sheet of Abstract; and (4) sheet(s) of drawing(s).

1. Also enclosed are:

- [X] Executed Declaration
- [X] Assignment and Assignment Recordation Cover Sheet
- [X] Power to Prosecute with copy of Assignment
- [X] Assertion of Entitlement to Small Entity Status
- [ ] Information Disclosure Statement
- [X] Nonpublication Request and Certification
- [X] Credit Card Payment Form for the total fee as calculated below
- [X] (2) Return receipt postcards

2. The filing fee has been calculated as follows [ ] and in accordance with the enclosed preliminary amendment:

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	54	34	\$9.00	\$ 306.00
Independent Claims	6	3	\$43.00	\$ 129.00
Multiple Dependent Claims (if applicable)				
Assignment Recording Fee				\$ 40.00
Basic Filing Fee				\$ 385.00
Total Filing Fee				\$ 860.00


[ ] This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

[X] Authorization to charge a credit card for the total fee is attached.

6. Please direct all correspondence concerning this application to:

Law Office of Duane S. Kobayashi  
1325 Murray Downs Way  
Reston, VA 20194  
Tel: 703-464-7902  
Fax: 703-935-0276

CUSTOMER NUMBER: 34611

<p>Dated: <u>5/7/04</u></p> <p>Law Office of Duane S. Kobayashi 1325 Murray Downs Way Reston, VA 20194 703-464-7902 (Phone) 703-935-0276 (fax)</p>	<p>Respectfully submitted,</p> <p>By: <u></u></p> <p>Duane S. Kobayashi Reg. No. 41,122</p>
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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Robinson	
Title	A System and Method for Upgrading Biometric Data	
Atty Docket Number	U016 (BPAY.0050000)	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/7/04

Date

  
Signature

Duane S. Kobayashi  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**